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November 16, 2020

VIA ECF

Hon. Lewis J. Liman
United States District Judge
United States Courthouse
500 Pearl Street
New York, NY 10007


REQUEST DENIED.

The Status Conference scheduled for November 18, 2020 at 3:00PM will proceed remotely by telephone. The parties are directed to dial into the Court's teleconference line at 888-251-2909 and use access code 2123101. The Court will discuss the trial date at the conference.

Re: Batista v. MTA
20 Civ. 1254 (LJL)(SDA)

11/16/2020

SO ORDERED.


LEWIS J. LIMAN
United States District Judge

Dear Judge Liman:

For my own personal medical reasons it is necessary for me to request an adjournment of this Wednesday's (11/18/2020) in person conference at 3 PM and the trial presently scheduled for the week of December 21, 2020.

For the past few months I have been complaining to my wife that I am unable to see and that I read with great difficulty, but still everything I look at is hazy, foggy, blurry and/or distorted, no matter how large/small it is. Lights and lighted surfaces cause further haze and/or halo's. I have to enlarge print on my computer monitor in order to read/type, but find that this results in severe headaches after a short while, so I am limited to only a few minutes at a time.

At first we thought this may be an unwanted but known side effect of certain medication I had been taking and in that regard I have been safely and gradually tapering down my dosage just as I had built it up in the original instance. When that failed to effect any cure of the problem, late last week I saw two different eye doctors on an emergency basis and learned from both of them that I have bilateral cataracts that are in need of surgical removal. I am advised by the eye doctor whom I prefer does my surgery, that at present the earliest he will be able to schedule my first eye for surgery is in early January, and that he will then do my other eye the following month. Because of my visual problems the doctor has advised me to limit daytime driving to local driving of no more than 5 miles from home, and that I should avoid driving in the dark.

In view of the foregoing, I am constrained to request an adjournment of this Wednesday's (11/18/2020) in person conference at 3 PM and the trial presently scheduled for the week of December 21, 2020. I am neither capable of doing all the reading/writing necessary to properly prepare my file, exhibits or other such court documents, no less see sufficiently well enough to safely conduct a trial at this time. Nor am I able to safely drive from my home in Merrick, NY to Manhattan where the Courthouse is located. Following my second eye operation, once my doctor advises that I may safely resume my normal daily activities, I will be in contact with the Court to reschedule all the foregoing.

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I have spoken with Helene Hectkopf, Esq., attorney for defendant, who consents to this application.

Thanking the Court in advance for its anticipated courtesy and cooperation with regard to this personal medical matter.

Respectfully yours,

Philip J. Dinhofer

PHILIP J. DINHOFER

PJD/dd

cc: Helene Hechtkopf, Esq.
(Via ECF)